UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
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ART UNIT	PAPER NUMBER
2181	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/588,879	HOFFMAN ET AL.
	Examiner	Art Unit
	Chun-Kuan Lee	2181

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _16 February 2009_.
2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-21 and 31-40_ is/are pending in the application.
   4a) Of the above claim(s) _32-40_ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) _1-21 and 31_ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on _09 August 2006_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.
   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
      Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
      Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

RESPONSE TO ARGUMENTS

1.   Applicant's arguments filed 02/16/2009 have been fully considered but they are not persuasive. Currently, claims 22-30 are cancelled; claims 32-40 are withdrawn; and claims 1-21 and 31 are pending for examination.

2.   In response to applicant's arguments (on pages 8-9) with regard to the independent claim 21 (currently amended by the applicant to be claim 31) rejected under 35 U.S.C. 101 that independent claim is statutory because a medium (i.e. wireless medium) that store a signal wave is statutory subject matter; applicant's arguments have fully been considered, but are not found to be persuasive.

The examiner respectfully disagrees, because in accordance to the Specification paragraph [0074], the claimed computer readable medium is the signal wave; as the computer readable medium is the connection, wherein the connection is constructed by the signal wave; and in accordance to the conclusion in *In re Nuijten*, "A transitory, propagating signal like Nuijten's is not a "process, machine, manufacture, or composition of matter." Those four categories define the explicit scope and reach of subject matter patentable under 35 U.S.C. §101; thus, such a signal cannot be patentable subject matter …;" therefore, the computer readable medium which is the signal wave is non-statutory subject matter.

3.   In response to applicant's arguments (on pages 9-10) with regard to the independent claim 1 rejected under 35 U.S.C. 103(a) that the combination of the references does not teach/suggest the claimed limitation "receiving a call from an external object to a first interface of a target object," because Scheifler do not teach permissions are obtained at the target object, and Colburn does not teach the claimed limitation "at the target determining whether the external object has access to other interfaces of the target object based on the call to the first interface"; applicant's arguments have fully been considered, but are not found to be persuasive.

Please note that one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.,* 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

The examiner respectfully disagrees that the combination of the references does not teach the above claimed feature, as the combination of Scheifler and Colburn teach the above claimed feature as following:

Scheifler teaches a system and a method comprising:

receiving a call from an external thread (Fig. 6, ref. 620) to a first interface (e.g. write to any file in a directory, such as "c:/") of a target object (Fig. 6, ref. 4500-1) (Fig. 1; Fig. 4-5; col. 4, l. 51 to col. 5, l. 3 and col. 9, l. 11 to col. 14, l. 38); and

determining whether the external thread has access to other interfaces

(e.g. write to any specific file in the directory, such as "c:/thisfile") of the target

object based on the call received at the first interface (Fig. 4-5 and col. 11, l. 20

to col. 13, l. 45), wherein the determination is in association with implied

permission.

Colburn teaches a system and a method comprising:

a call received from an object (Fig. 5, ref. 100) and determining at a target

object (Fig. 8, ref. 160) access to other interfaces (col. 1, l. 12 to col. 3, l. 45; col.

7, ll. 26-52 and col. 11, ll. 25-51), by combining Colburn with Scheifler's above

teaching of implied permission, the resulting combination further teaches the

target object implementing access authorization in association with implied

permission to other interfaces.

I. ELECTION / RESTRICTIONS

4.   Newly submitted claims 32-40 are directed to an invention that is

independent or distinct from the invention originally claimed for the following

reasons:

Currently application contains claims directed to the following patentably

distinct species of the claimed invention:

Specie I: Claims 1-21 and 31 are directed to Figure 6.

Specie II: Claims 32-40 are directed to Figure 8.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, there is no generic claim.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 32-40 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

II. REJECTIONS BASED ON 35 U.S.C. 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claim 21 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. As "computer readable medium" can be signal wave (i.e. wireless medium) along (Specification, [0074]), wherein signal wave is non-statutory subject matter.

III. REJECTIONS BASED ON PRIOR ART

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been

obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 1-21 and 31 are rejected under 35 U.S.C. 103(a) as being

unpatentable over <u>Scheifler et al.</u> (US Patent 6,138,238) in view of <u>Colburn et al.</u>

(US Patent 6,173,404).

7.   As per claims 1, 20-21 and 31, <u>Scheifler</u> teaches a method, a system and

a computer readable medium storing instructions for controlling a computer

device for controlling access to an object in an operating system, the method,

system and computer readable medium comprising:

        a module configured means for receiving a call from an external thread

(Fig. 6, ref. 620) to a first interface (e.g. write to any file in a directory, such as

"c:/") of a target object (Fig. 6, ref. 4500-1) (Fig. 1; Fig. 4-5; col. 4, l. 51 to col. 5, l.

3 and col. 9, l. 11 to col. 14, l. 38);

        a module configured with means for determining whether the external

thread has access to other interfaces (e.g. write to any specific file in the

directory, such as "c:/thisfile") of the target object based on the call received at

the first interface (Fig. 4-5 and col. 11, l. 20 to col. 13, l. 45), wherein the

determination is in association with implied permission; and

        a module configured with means for to grant access to the other interfaces

according to the determination (Fig. 4-5 and col. 11, l. 20 to col. 13, l. 45).

Scheifler does not expressly teach the method, system and computer readable medium comprising: wherein the call from an object; and determining at the target object access to the other interfaces;

Colburn teaches the method, system and computer readable medium comprising: a call received from an object (Fig. 5, ref. 100) and determining at a target object (Fig. 8, ref. 160) access to other interfaces (col. 1, l. 12 to col. 3, l. 45; col. 7, ll. 26-52 and col. 11, ll. 25-51), in combination with Scheifler's above teaching of implied permission, the resulting combination further teaches the target object implementing access authorization in association with implied permission to other interfaces.

It would have been obvious for one of ordinary skill in this art, at the time of invention was made to include Colburn's inter-object security scheme into Scheifler's object for the benefit of implementing a more robust security scheme between objects (Colburn, col. 3, ll. 34-37) to obtain the invention as specified in claims 1 and 19-21.

8.   As per claim 2, Scheifler and Colburn teach all the limitation of claim 1 as discussed above, wherein Colburn further teaches the method comprising wherein determining whether the external object has access to other interfaces of the target object further comprises examining a security policy (Colburn, Fig. 8, ref. 184, 194) contained within the target object (Colburn, Fig. 8, ref. 160) (Colburn, Fig. 7A-7B; Fig. 8 and col. 11, l. 25 to col. 12, l. 58).

9.   As per claim 3, <u>Scheifler</u> and <u>Colburn</u> teach all the limitation of claim 2 as

discussed above, wherein <u>Colburn</u> further teaches the method comprising

wherein the security policy is contained entirely within the target object (<u>Colburn</u>,

Fig. 8).

10.   As per claim 4, <u>Scheifler</u> and <u>Colburn</u> teach all the limitation of claim 1 as

discussed above, wherein <u>Scheifler</u> further teaches the method further

comprising determining whether the external object and the target object operate

in a same process (e.g. same class of valid digital signature or not) (<u>Scheifler</u>,

col. 9, l. 52 to col. 11, l. 19).

11.   As per claim 5, <u>Scheifler</u> and <u>Colburn</u> teach all the limitation of claim 1 as

discussed above, wherein <u>Scheifler</u> further teaches the method comprising

wherein determining whether the external object has access to the other

interfaces of the target object further comprises: identifying the other interfaces of

the target object that can be accessed when the first interface is being requested

by the external object (<u>Scheifler</u>, col. 11, l. 20 to col. 13, l. 45), as the other

interfaces must be identified in order to proper grant the permission via the

implied permission.

12.   As per claim 6, <u>Scheifler</u> and <u>Colburn</u> teach all the limitation of claim 1 as

discussed above, wherein both further teach the method further comprising

determining a first process of the target object (<u>Scheifler</u>, col. 9, l. 52 to col. 11, l.

19 and Colburn, Fig. 8; Fig. 10; col. 1, l. 12 to col. 3, l. 45), such as determining whether the target object's first process corresponds to either valid digital signature with known keys or digital signature that cannot be verified thus a default key is utilized.

13.   As per claim 7, Scheifler and Colburn teach all the limitation of claim 6 as discussed above, wherein both further teach the method further comprising determining a second process of the external object (Scheifler, col. 9, l. 52 to col. 11, l. 19 and Colburn, Fig. 8; Fig. 10; col. 1, l. 12 to col. 3, l. 45), such as determining whether the external object's second process corresponds to either valid digital signature with known keys or digital signature that cannot be verified thus a default key is utilized.

14.   As per claim 8, Scheifler and Colburn teach all the limitation of claim 7 as discussed above, wherein both further teach the method further comprising performing a cross-process communication between the target object and the external object (Scheifler, col. 9, l. 52 to col. 11, l. 19 and Colburn, Fig. 8; Fig. 10; col. 1, l. 12 to col. 3, l. 45; col. 13, l. 44 to col. 14, l. 34), such as allowing restrictive access to the target object as the target object is under valid digital signature process and the external object is not under valid digital signature process.

15.   As per claim 9, Scheifler and Colburn teach all the limitation of claim 1 as discussed above, wherein both further teach the method further comprising securing a channel for each interface of the target object (Scheifler, col. 9, l. 52 to col. 11, l. 19 and Colburn, Fig. 8; Fig. 10; col. 1, l. 12 to col. 3, l. 45; col. 13, l. 44 to col. 14, l. 34), as the channel is secured via a cryptographic key over a network between client and server.

16.   As per claim 10, Scheifler and Colburn teach all the limitation of claim 1 as discussed above, wherein both further teach the method comprising wherein determining whether the external object has access to the other interfaces of the target object further comprises analyzing access constraints within the target object (Scheifler, col. 11, l. 20 to col. 13, l. 45 and Colburn, Fig. 7A-7B; Fig. 8; col. 13, l. 44 to col. 14, l. 34), as the analyzing of the implied permission is located within the target object.

17.   As per claim 11, Scheifler and Colburn teach all the limitation of claim 1 as discussed above, wherein both further teach the method further comprising analyzing interface access data stored within the target object (Scheifler, col. 11, l. 20 to col. 13, l. 45 and Colburn, Fig. 7A-7B; Fig. 8; col. 13, l. 44 to col. 14, l. 34).

18.   As per claim 12, Scheifler and Colburn teach all the limitation of claim 1 as discussed above, wherein both further teach the method further comprising

determining whether the target object and the external object are in a same

protection domain (Scheifler, Fig 4; col. 11, I. 20 to col. 13, I. 45 and Colburn, Fig.

8).

19.   As per claim 13, Scheifler and Colburn teach all the limitation of claim 12

as discussed above, wherein both further teach the method comprising wherein

the protection domain is a process (Scheifler, Fig 4 and col. 9, I. 52 to col. 13, I.

45 and Colburn, Fig. 8), wherein the process is associated with valid digital

signature and un-validated digital signature.

20.   As per claim 14, Scheifler and Colburn teach all the limitation of claim 1 as

discussed above, wherein Colburn further teaches the method comprising

wherein the target object sets the target object's own security policy (Colburn,

Fig. 8), the target object sets the target object's own security policy as the access

constraints and access authorization resides within the target object.

21.   As per claim 15, Scheifler and Colburn teach all the limitation of claim 1 as

discussed above, wherein Scheifler further teaches the method comprising

wherein determining whether the external object has access to the other

interfaces further comprises determining capabilities of the external object

(Scheifler, col. 9, I. 52 to col. 13, I. 45), as the capability corresponds to the

capability of transferring data along with the know key or without the know key.

22.   As per claim 16, <u>Scheifler</u> and <u>Colburn</u> teach all the limitation of claim 15 as discussed above, wherein <u>Colburn</u> further teaches the method comprising further comprising mapping capabilities of the external object to the other interfaces of the target object (<u>Scheifler</u>, col. 9, l. 52 to col. 13, l. 45), such as mapping the capability of transferring data with the know key to other interfaces for grater access.

23.   As per claim 17, <u>Scheifler</u> and <u>Colburn</u> teach all the limitation of claim 1 as discussed above, wherein both further teach the method comprising wherein the target object and the external object are created using a same methodology (e.g. object oriented by Java) (<u>Scheifler</u>, col. 9, l. 52 to col. col. 11, l. 19 and <u>Colburn</u>, col. 1, l. 12 to col. 3, l. 45).

24.   As per claim 18, <u>Scheifler</u> and <u>Colburn</u> teach all the limitation of claim 1 as discussed above, wherein <u>Colburn</u> further teaches the method comprising wherein the target object and the external object are views in a view hierarchy (<u>Colburn</u>, col. 1, l. 12 to col. 3, l. 45).

25.   As per claim 19, <u>Scheifler</u> and <u>Colburn</u> teach all the limitation of claim 18 as discussed above, wherein <u>Colburn</u> further teaches the method comprising wherein a view has a parent calling interface, a child calling interface, and a child managing interface (<u>Colburn</u>, col. 6, ll. 29-52), as the hierarchal relation between

parent-child is well known with the corresponding above interfaces for the parent

and the child.

IV. <u>CLOSING COMMENTS</u>

<u>Conclusion</u>

a. <u>STATUS OF CLAIMS IN THE APPLICATION</u>

The following is a summary of the treatment and status of all claims in the application as recommended by **M.P.E.P. 707.07(i)**:

a(1) <u>CLAIMS REJECTED IN THE APPLICATION</u>

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

b. <u>DIRECTION OF FUTURE CORRESPONDENCES</u>

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chun-Kuan (Mike) Lee whose telephone number is (571) 272-0671. The examiner can normally be reached on 8AM to 5PM.

IMPORTANT NOTE

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alford Kindred can be reached on (571) 272-4037. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C.K.L./

April 28, 2009   Chun-Kuan (Mike) Lee
                                              Examiner
/Alford W. Kindred/   Art Unit 2181

Supervisory Patent Examiner, Art Unit 2181